

EXHIBIT A

Business

France-Based iOS Developers Team up with U.S. Firm Hagens Berman in Antitrust Class-Action Lawsuit Against Apple's App Store

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France-Based iOS Developers Team up with U.S. Firm Hagens Berman in Antitrust Class-Action Lawsuit Against Apple's App Store Fees

Law firm that secured \$100 million settlement for U.S. iOS developers now representing France-based plaintiffs in twin lawsuit regarding App Store policies and fees

Business Wire

SAN JOSE, Calif. -- August 1, 2022

The same law firm that recently secured a \$100 million settlement against Apple regarding its anticompetitive App Store policies is now representing France-based iOS developers for the same issues in a new antitrust lawsuit filed today in California federal court by Hagens Berman in association with Paris-based antitrust lawyer Fayrouze Masmi-Dazi.

"We're fresh off the heels of our hard-won settlement with Apple and ready to get back in the ring," said Steve Berman, managing partner of Hagens Berman and an attorney representing the proposed class of iOS developers. "Our firm is happy to see iOS developers from other countries seeking the same justice we were able to achieve for U.S. developers. We believe they too have been wrongfully subjected to the stifling policies of Apple's App Store, and we intend to hold Apple to the law."

"Le GESTE and its members are indeed at the forefront of several initiatives and battles for a more balanced and fair functioning of the digital world in France and in Europe. In its nature and magnitude, today's action shows our determination to seek such changes and redress," said Bertrand Gié, Le GESTE's president and head of digital at Le Figaro and Emmanuel Alix, GESTE's vice president and head of digital at L'Equipe.

"Apple's policies and restrictions pose critical issues to all iOS developers using the App Store. To a global problem, there shall be a global solution. I believe we can build solid bridges to conceive impactful actions, for we shall leave no room for impunity," said Fayrouze Masmi-Dazi, Le GESTE's antitrust attorney and an attorney representing the proposed class of iOS developers in association with Steve Berman.

If you are a France-based iOS developer, find out more about the lawsuit by contacting Fayrouze Masmi-Dazi at 06 27 96 28 65 or fmasmi-Dazi@outlook.com.

Berman also led his firm to win a suit against Apple and various publishing companies in 2016 that settled for a total of \$560 million on behalf of e-book purchasers forced to pay artificially high prices due to Apple and the publishing companies' colluded price-fixing. That suit went to the Supreme Court, where the Court ruled against Apple. The firm also recently filed a \$1 billion case against Apple regarding antitrust policies within Apple Pay. Additionally, Hagens Berman took Google to court on behalf of Android app developers using the Google Play Store, achieving a \$90 million settlement on behalf of the class.

Apple Antitrust Déjà Vu

Today's filed lawsuit against Apple accuses it of the same antitrust overpricing in its App Store functionality and in-app purchase (IAP) services and seeks to represent France-based iOS developers that were subjected to Apple's high commissions, fees and other policies.

The class action's named plaintiffs include Société du Figaro (developer of the Figaro news app and IAP subscriptions), L'Équipe 24/24 (developer of L'Équipe sports news and streaming app, and IAP subscriptions) and le GESTE, a French association comprised of France-based publishers of online content and services, including iOS developers. Plaintiffs claim they purchased overpriced iOS app-distribution and IAP services.

"Apple has behaved as alleged herein in a willful attempt to obtain a monopoly in the global market," the lawsuit states. "There is no valid business necessity or pro-competitive justification for Apple's conduct."

The case was filed in the U.S. District Court for the Northern District of California, bringing the France-based developers' claims to Apple's homecourt. It accuses Apple of engaging in anticompetitive practices in mandating only one app store for iOS devices, which set the stage for Apple to abuse its market power.

For almost 14 years, Apple has levied a default 30 percent commission on paid app and digital in-app product sales conducted through the App Store and in iOS apps acquired from the App Store, according to the lawsuit.

"This suit aims to remedy the harm that Apple has caused to France-resident iOS developers—purchaser-participants in the U.S. domestic market for these services—by way of its violations of U.S. antitrust and California fair-competition law," the complaint begins.

Apple also requires developers to pay it an annual fee if they want their apps and in-app products to be considered by Apple for distribution in the App Store. This is especially damaging to smaller and new developers. Putting all iOS apps into one marketplace also means consumers never see most apps, attorneys say, stifling competition and innovation. According to a legal filing made by Apple last year, there were at that time more than 2 million apps available on the App Store.

The lawsuit representing France-based iOS developers seeks to force Apple to end its abusive monopoly and allow competition in the distribution of iOS apps and related products, to get rid of pricing mandates, and to reimburse developers for overcharges made through abuse of its monopoly power.

The lawsuit states, "Plaintiffs are not alone in their view of Apple's anti-competitive behavior. In October 2020 the U.S. House Judiciary Subcommittee on Antitrust released a report in which the authors concluded, among other things, that Apple is a willful monopolist in its operation of the App Store and by way of its IAP product."

The Preceding Developer Settlement

In 2021, the firm secured its \$100 million settlement on behalf of U.S. iOS developers, which resulted in the creation of a Small Developer Assistance Fund and important changes to App Store policies and practices.

In that settlement, small U.S. iOS developers – those with less than \$1 million in App Store proceeds through all associated developer accounts per calendar year from June 4, 2015 to Apr. 26, 2021 – can receive payments ranging from minimums of \$250 to \$30,000 or more, based on historic participation in the iOS App Store ecosystem.

In addition to monetary relief, the settlement brought changes to App Store policies and practices for U.S. iOS developers as they relate to App Store search results, app and in-app product price points, appeals from rejections of apps and transparency. Small U.S. iOS developers also will benefit from a pledge that for at least three years following court approval of the settlement, Apple will not raise the 15% commission rate that applies for those participating in its Small Business Program.

Among other benefits of the settlement, Apple will permit all U.S. iOS developers to communicate with their customers outside their apps about

purchasing methods other than Apple's IAP system. Apple also will remove the prohibition against U.S. developers using information obtained within their apps to communicate with their customers outside their apps about the use of purchasing methods other than IAP, subject to consumer consent and opt-out safeguards.

Read more about the class-action lawsuit against Apple in California court on behalf of France-based iOS developers.

About Hagens Berman

Hagens Berman is a global plaintiffs' rights complex litigation law firm with a tenacious drive for achieving real results for those harmed by corporate negligence and fraud. Since its founding in 1993, the firm's determination has earned it numerous national accolades, awards and titles of "Most Feared Plaintiff's Firm," MVPs and Trailblazers of class-action law. More about the law firm and its successes can be found at hbsslaw.com. Follow the firm for updates and news at @ClassActionLaw.

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